

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RAMSES WILLIAMS,

Petitioner

v. 08-CV-413

B. FISCHER et al.,

Respondant.

THOMAS J. McAVOY

Senior United States District Judge

ORDER

Plaintiff Ramses Williams, an inmate in the custody of the New York State Department of Correctional Services ("DOCS"), brings the instant action against four DOCS employees under 42 U.S.C. § 1983 alleging violations of his civil rights.

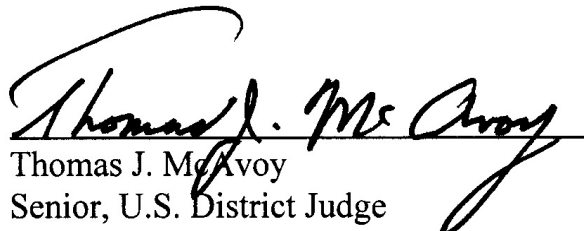
Presently before the Court is Williams' motion to strike certain defenses asserted by Defendants in their Answer to the Complaint. Defendants oppose the motion. This matter was referred for a report and recommendation to United States Magistrate Judge David R. Homer pursuant to 28 U.S.C. § 636(b) and N.D.N.Y.L.R. 72.3(c).

No objections to the November 4, 2008 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein and DENIES the motion to strike.

IT IS SO ORDERED.

Dated: November 14, 2008


Thomas J. McAvoy
Senior, U.S. District Judge